

WILLIAM SMITH, *et al.*,  
Plaintiffs,  
vs.  
ANNISHIA TAYLOR, *et al.*,  
Defendants.

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Case No. 2:15-cv-01038-RFB-CWH  
**ORDER**

Pursuant to 28 U.S.C. § 1914(a), a filing fee of \$350.00 is required to commence a civil action in federal district court in addition to a new \$50.00 administrative fee, effective May 1, 2013, for a total of \$400.00. The court may authorize the commencement of an action “without prepayment of fees and costs or security therefor, by a person who makes an affidavit that he is unable to pay such costs or give security therefore.” 28 U.S.C. § 1915(a).

Plaintiff has now submitted the affidavit required by § 1915(a) to show that he is unable to prepay fees and costs or give security for them. In his application, plaintiff states that he is employed, earns \$1,072.00 a month, and has no money in his bank account. See Doc. # 3. Plaintiff then indicates his monthly expenses are \$56.00 on phone service, \$350.00 on bus transportation to visit his wife, and \$400.00 on food, clothing, and hygiene. Id. Plaintiff further indicates he spends \$300.00, and refers to attachment A. Id. However, a review of plaintiff's application reveals there is no attachment A, and it is unclear what the the \$300.00 are for. Based on the information provided, therefore, this Court is still unable to determine whether plaintiff can afford the filing fee required.

1 Accordingly, **IT IS HEREBY ORDERED** that plaintiff's Second Application for Leave to Proceed  
2 In Forma Pauperis (doc. # 3) is **denied without prejudice**.

3 **IT IS FURTHER ORDERED** that the Clerk of Court shall mail plaintiff a blank Application to  
4 Proceed In Forma Pauperis so plaintiff can report the information already submitted, along with  
5 supplemental information.

6 **IT IS FURTHER ORDERED** that plaintiff shall have until **July 17, 2015**, in which to submit a  
7 completed application that includes the supplemental information required, or to pay the \$400.00 filing fee.  
8 Failure to comply with this order will result in a recommendation that this case be dismissed. The Clerk  
9 of Court shall retain Plaintiff's Complaint.

10 Dated: July 1, 2015

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14 C.W.Hoffman, Jr.  
15 United States Magistrate Judge  
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